

**City Council of the City of New Castle**  
**Regular Council Meeting at Town Hall – 201 Delaware Street – New Castle**  
**Tuesday – May 14, 2013 – 7 p.m.**

**Call to Order:** 7 p.m.

**Present:**

Council President Barthel  
Councilperson Cochran  
Councilperson Megginson  
Councilperson Petty  
Councilperson Vannucci

**Also present:**

Donald Reese, Mayor  
Janet Carlin, City Treasurer  
Daniel Losco, City Solicitor  
Jeffrey Bergstrom, Building Official & Fire Marshall  
David Bird, Chair, Planning Commission

**Approval of minutes by date:**

A motion was made by Councilperson Petty to approve the minutes of April 9, 15, and 23. Councilperson Megginson seconded the motion. The minutes were approved unanimously.

**Approval of Treasurer's Report:**

Treasurer Carlin provided an overview of the activity and balances as submitted in the Treasurer's Report. A motion to accept the Treasurer's Report was made by Councilperson Cochran, seconded by Councilperson Vannucci and approved unanimously.

**Report from City Administrator:**

The City does not currently have a City Administrator.

**Staff Reports:**

President Barthel accepted the staff reports as presented in the packet.

**Grant Review:**

Councilperson Cochran reviewed the status of the grants: Banks Bldg. Preservation, \$4,000; Coastal Mgt. Flood/dike control, \$100,000; DNREC-Broad Dike Wetland Protection, \$800,000; ARRA Green Project, \$1,710,627; recycling grant, \$21,600; and tobacco grant, \$19,198.94.

**Communications:**

Councilperson Petty reported that she left information for all council members regarding her attendance at the League of Local Governments Meeting at the Administration Office.

**Business from the Floor:**

President Barthel reminded attendees that comments need to be related to agenda items and to keep their remarks to three minutes. There were no comments.

**Business from Mayor Reese:**

Mayor Reese reported that the National Park has been dedicated and the Ranger is in town. He is looking for office space and wants to be located on Delaware Street in the center of town.

Can't hear Mayor at about 7:05 pm. My notes indicate – something about Roy Sipple to continue on MSC and something got pay by credit card

**Business from the Council President:**

President Barthel reported that the City Solicitor attended a sheriff's sale for three city properties. The sale prices were reported as: Clark Street - \$6,500 and \$4,000, and Booker Circle - \$34,000. He reminded everyone that the city has focused on abandoned properties for several years and the program is providing positive results. The properties sold will be renovated and occupied. The Dobbinsville Police Station was abandoned property converted for the city's use.

The search for a City Manager is ongoing. The committee composed of Councilpersons Cochran and Petty and Solicitor Losco has conducted interviews.

**Motion, Discussion and Vote on Resolution No. 2013-11 to Recognize Master Corporal Richard P. McCabe:**

A motion was made by Councilperson Petty to approve Resolution No. 2013-11 and Councilperson Megginson seconded. The Resolution was read by President Barthel. Council unanimously approved the resolution.

A plaque and certificate were presented by President Barthel.

**Rehabilitation of William Penn Statue:**

Resident Jim Travers reported on the project to rehabilitate the statue of William Penn located in the park behind Town Hall. If given permission and the permit, Mr. Travers expects Laren Bronze to begin work in early June. The small plaque at the bottom belongs to the Welcome Society and he is contacting them to see if they wish to cover it during the work or have it refurbished along with the statue. Refinishing will require light sandblasting and a coat of hot wax. It is expected that city employees will be able to maintain the statue using hot wax. The cost of the refurbishment project will be paid by Mr. Travers. He suggested that the city may want to install bricks around the base to make the statue more accessible.

Mr. Travers presented a check in the amount of \$1,175 that was raised in April by the Friends of Battery Park.

Trustee Dorcy Fiske commented that the park where the statue stands is Trustee property and there may be a need for Trustee permission to do the work.

President Barthel approved the work with permission of the Trustees and Mr. Bergstrom will issue any necessary permits.

**Unfinished Business:**

1/ Update on dike permitting and construction:

Bonnie Arvay from DNREC reported on the results of an informational meeting held two weeks ago and provided an update on the project. At the April 30<sup>th</sup> meeting, the accelerated permitting and construction schedule were reviewed. The urgency is due to continued deterioration of the dikes from storms. The draft schedule is:

Red Lion Dike is the first priority and will go to construction on June 1<sup>st</sup>. Army Creek, Gambacorta and Buttonwood Dikes are scheduled to begin construction at the end of June or July 1<sup>st</sup>. The Broad Dike will be last with construction expected to begin at the end of August or early September due to the additional permitting required because of its historic status. A meeting for public comment will be held in mid-July. Construction of all the dikes is expected to be completed by Christmas.

The current design plans for the northern extensions of Gambacorta Dike through Battery Park and southern extensions of the Broad Dike through the Bull Hill area were also discussed at the April 30<sup>th</sup> meeting. The Broad Dike extensions were redrawn to reduce impact to the historic features in the area such as Ft. Casmir and the potter's field. The archeological survey team has completed the Phase 1 study for all the dikes and may need to complete another survey for the Broad Dike extension due to its historic nature and the excavation of the potter's field.

Wade Katz of JM Associates made a presentation at the meeting regarding the history of the dikes. Foundations were found in Battery Park but will not be disturbed due to their depth. The gasometer circular feature seen on aerial maps near the boat ramp will be covered and built over.

The two hurdles that remain are receipt of the permits from the Army Corps of Engineers due to their interest in wetland mitigation and the historic surveys. They have verbally approved the work.

President Barthel expressed his pleasure with the news that the work will begin and be completed soon. Councilperson Petty added her thanks to Ms. Arvay.

2/ Discussion and Approval of the Duffield Associates Proposal to perform the next phase of work for the Revitalization Plan for the New Castle City Riverfront:

Chair of the Planning Commission, David Bird gave an overview to refresh everyone on the process to date. Phase 1 was general design and concept. Phase 2 was the application for funding at no cost to city and the funding was obtained. Phase 3 was development of the RFP and advertisement for bids for preliminary engineering and permitting. The Planning Commission has selected and recommends council's approval of Duffield Associates to start those studies.

Mr. Bird asked that the timeline on the city web site be updated to correctly reflect the progress of the project and the approvals by City Council.

John Fellows of Duffield Associates reviewed their response to the proposal. They completed the original concept evaluation and plan and this phase is the next logical step. Duffield Associates responded to the RFP for preliminary engineering and permitting and was recommended by the Planning Commission for review by City Council. He reviewed the scope of work included in their proposal such as surveys and environmental, cultural, and historic studies needed for engineering and permitting. Cost estimating for the project is included as well as continued evaluation of the best location for a dock.

President Barthel reviewed the source of funding for the project as the FY2013 State Bond Bill. The \$125,000 was deposited in November or December of 2012 to the city account. No city funds are being used for this project.

President Barthel asked how long it will take to complete the next phase and Mr. Fellows replied that 9 to 12 months is estimated. The unknown is the time to receive the necessary permits from the Army Corps of Engineers. The initial permitting meeting was held during the concept phase and all permitting organizations seem to be on board. Duffield Associates will continue to update the Planning Commission and City Council as the project progresses. They will also complete an aesthetic review with stakeholders.

President Barthel commented that this is an ongoing project and recommended that the process continue with the work as proposed. There were no comments from council members.

### 3/ Update on the plans for the Separation Day celebration:

Jeff Lank of the New Castle Jaycees, presented their plan for Separation Day. New for this year, they created a web site at [www.sepdayde.com](http://www.sepdayde.com) with information about the activities. They have been monitoring the carnival ride operator and will have new rides. The equipment has been cleaned up in response to complaints. The rides will shut down during the fireworks. Entertainment will be provided by a magician and musical groups. The Finale at 8 p.m. will be provided by Lights Out Band, an acapella and Valle tribute band that has performed in Las Vegas. The Parade will again have a float competition based on the theme of Delaware's Birthday. The dignitary brunch will be held at the Arsenal to celebrate the grand re-opening rather than the Court House. Approximately three dozen Arts & Crafts vendors have registered. New this

year is a Beauty Pageant for 19720 zip code and the winner will compete for Miss Delaware. The baby contest for 0 to 24 months and beauty contest for 24 months to 18 years will continue. The food vendors will be civic organizations such as the Boy Scouts and Knights of Columbus. The 5K starting at the Banks Building is a new event being promoted and registrations have been received. The sail boat regatta and vendor set-up will go on simultaneously and may cause traffic tie-ups. The fireworks show will be provided by the same company and will be spectacular again.

Separation Day is being promoted through the mail in the Money Mailer.

Mr. Lank thanked the city employees for their support.

A question was asked about having beer at the 5K finish line and Mr. Lank responded that there would be water available but no beer.

**New Business:**

- 1/ Request for a vending license by Christine Fowler for a roving Mister Softee truck: Councilperson Petty commented on complaints in previous years about the noise. President Barthel inquired about attracting customers with noise. Ms. Fowler confirmed the use of the Mister Softee song. Council discussed previous restrictions on truck vending and the noise in particular. Due to the need for clarification of the previous policy, President Barthel asked that Council be given time to review past practice and that the item be rescheduled for consideration at a meeting in two weeks.
- 2/ Request by Ryne Daniels to operate a pedicab business in New Castle: The request for the business license and necessary paperwork has been received. Mr. Daniels plans to combine his services with the historical tours provided by Jim Travers. It is a green transportation system with no emissions. The council granted the permit.
- 3/ Comments from the floor:  
Judie Baldini, co-chair of Arasapha May Market, thanked the Mayor, Council and city workers for their assistance and reported that the event was very successful.  
  
Tom Simperts inquired about the change in procedure for cutting the grass. Councilperson Megginson advised that the Trustees are now maintaining the Trustee land and have a different policy to cut only 30 feet in and do minimal mowing that they believe is better for the environment. Mr. Simperts believes rodents and snakes will be attracted to the area and has concern for the safety of the children that play in the area. Councilpersons Megginson and Vannucci share Mr. Simperts' concerns. President Barthel recommended that Mr. Simperts present his concerns to the Trustees.  
  
Dorcy Fiske asked for an amendment to the city charter prior to the next election to require that anyone standing for election to city office must be in compliance with city, county, and school property taxes.

The meeting was adjourned at 7:57 p.m.

Respectfully submitted,

Janet E. Wurtzel  
New Castle City Clerk